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September 13, 2012

VIA HAND DELIVERY

The Honorable Lloyd D. George
UNITED STATES DISTRICT COURT
333 Las Vegas Boulevard South
Las Vegas, NV 89101

Re: *Morgan Stanley, et al. v. Hans Jecklin, et. al.*
Case No. 2:05-cv-1364-LDG-VCF

Dear Judge George:

We have just learned that the parties' respective unresolved but fully briefed Motions for Summary Judgment are not on the court's Pending Motion Calendar. Based on your Minute Order, Document No. 360, we had erroneously concluded that nothing further was needed to cause the Motions to be substantially resolved as they had been *sub judice* since on or before October 20, 2011. A copy of Document No. 360 is attached for your convenience.

On behalf of Plaintiffs Morgan Stanley High Yield Securities, Inc., et al., we respectfully request that you issue a formal direction to the Clerk of the Court reinstating the pending Summary Judgment Motions on the Pending Motion Calendar. We believe the pending summary judgment motions are as follows:

#231 Motion for Summary Judgment by Defendants JPC Holding AG, Christine Jecklin, Hans Jecklin, Swiss Leisure Group AG;

#236 Motion for Summary Judgment by Defendant John Tipton;

#239 Motion for Summary Judgment by Defendant George Haeberling; and

#321 Motion for Summary Judgment by Plaintiff Morgan Stanley High Yield Securities Inc., et al.

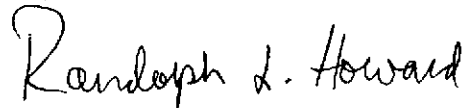
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THE HONORABLE LLOYD D. GEORGE
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If the Court would prefer that this request for clarification be styled in the form of a motion, please let us know.

Respectfully yours,

KOLESAR & LEATHAM



Randolph L. Howard, Esq.

RLH/chk

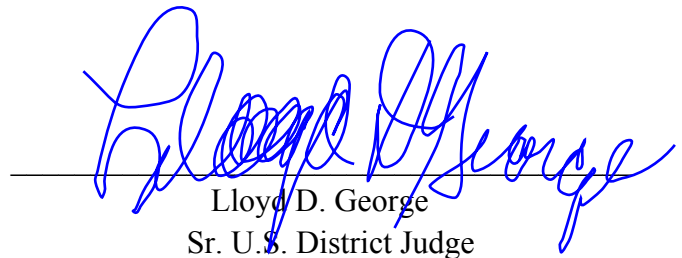
Enclosure

cc: Steven J. Engelmyer, Esq.
Eric D. Hone, Esq.
Jason Kirschner, Esq.
Tamara Beatty Peterson, Esq.
Eric J. Schreiner, Esq.

ORDER

IT IS SO ORDERED.

DATED this 19 day of September, 2012.



Lloyd D. George
Sr. U.S. District Judge

Randolph L. Howard

From: cmecf@nvd.uscourts.gov

Sent: Thursday, October 20, 2011 9:17 AM

To: cmecfhelpdesk@nvd.uscourts.gov

Subject: Activity in Case 2:05-cv-01364-LDG -VCF Morgan Stanley High Yield Securities Inc v. Jecklin Order on Motion

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United States District Court

District of Nevada

Notice of Electronic Filing

The following transaction was entered on 10/20/2011 at 9:17 AM PDT and filed on 10/20/2011

Case Name: Morgan Stanley High Yield Securities Inc v. Jecklin

Case Number: 2:05-cv-01364-LDG -VCF

Filer:

Document Number: 360(No document attached)

Docket Text:

MINUTE ORDER IN CHAMBERS of the Honorable Judge Lloyd D. George, on 10/20/2011.
By Deputy Clerk: Judy Harris.

The parties have sought clarification of this court's September 8, 2011 order granting [358] Motion.; RE: [358] MOTION for Clarification re [358], particularly in light of the Joint Pre-Trial Order filing requirements in the Stipulated Twelfth Revised Discovery Plan.

The Motion is Granted to the extent that the parties are not required to prepare a Joint Pre-Trial Order until thirty (30) days after the court issues an order which substantively disposes of the parties reinstated summary judgment motions. (Copies have been distributed pursuant to the NEF - JJH)

2:05-cv-01364-LDG -VCF Notice has been electronically mailed to:

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9/12/2012